

# Civil Enforcement Case Report

## Civil Enforcement Case

### Basic Information

**Case Number:** 04-2013-2003  
**Case Name:** E.I. DU PONT DE NEMOURS AND COMPANY  
**Case Category:** Administrative - Formal  
**Case Status (as of 07/16/2013):** Closed  
**Case Lead:** EPA  
**Court Docket Number:** EPCRA-04-2013-2003(b)  
**DOJ Docket Number:** --

**Relief Sought:** --

**Enforcement Outcome:** Final Order With Penalty

**Headquarters Division:** --

**Branch:** --

**Result of Voluntary Disclosure?** No

**Multi-media Case?** --

**Enforcement Type:** CERCLA 109 Action For Penalty, EPCRA 325 Action For Penalty

**Violations:** Violations Of Reporting Requirements

### Penalties – Case Level

**Total Federal Penalty Assessed or Agreed To:** \$18,281

**Total State/Local Penalty Assessed:** \$0

**Total SEP Cost:** \$68,555

**Total Compliance Action Cost:** \$100

**Total Cost Recovery:** \$0

### Case Summary

6/11/2013 - CONSENT AGREEMENT AND FINAL ORDER ISSUED, ASSESSING A TOTAL PENALTY OF \$18,281 (EPCRA VIOLATIONS - \$12,187 AND CERCLA VIOLATION - \$6,094. RESPONDENT SHALL MAKE PAYMENT WITHIN THIRTY DAYS. RESPONDENT ALSO AGREES TO COMPLETE A SEP. ORDER ALLEGES: VIOLATION OF CERCLA ON JANUARY 13, 2012, RESPONDENT HAD A RELEASE OF CHLORINE ABOVE THE RQ AT THE FACILITY. EPA ALLEGES THAT RESPONDENT VIOLATED THE NOTIFICATION REQUIREMENTS OF SECTION 103(a) OF CERCLA, BY FAILING TO IMMEDIATELY NOTIFY THE NRC AS SOON AS RESPONDENT HAD KNOWLEDGE OF THE RELEASE OF CHLORINE IN AN AMOUNT EQUAL TO OR GREATER THAN ITS RQ AT RESPONDENT'S FACILITY. IN VIOLATION OF SECTION 109 OF CERCLA. VIOLATION OF SECTION 304(a) OF EPCRA ON JANUARY 30, 2012, RESPONDENT HAD A RELEASE OF CHLORINE ABOVE THE RQ AT THE FACILITY. RESPONDENT VIOLATED THE NOTIFICATION REQUIREMENTS OF SECTION 304(a) OF EPCRA, BY FAILING TO IMMEDIATELY NOTIFY THE SERC AND LEPC AS SOON AS RESPONDENT HAD KNOWLEDGE OF THE RELEASE OF CHLORINE IN AN AMOUNT EQUAL TO OR GREATER THAN THE RQ AT RESPONDENT'S FACILITY. VIOLATION OF SECTION 304(c) OF EPCRA ON JANUARY 30, 2012, RESPONDENT HAD A RELEASE OF CHLORINE ABOVE THE RQ AT THE FACILITY. EPA ALLEGES THAT RESPONDENT VIOLATED THE NOTIFICATION REQUIREMENTS OF SECTION 304(c) OF EPCRA, BY FAILING TO PROVIDE A WRITTEN FOLLOW-UP EMERGENCY NOTICE TO THE SERC AND LEPC WHEN THERE HAD BEEN A RELEASE OF CHLORINE IN AN AMOUNT EQUAL TO OR GREATER THAN THE RQ AT RESPONDENT'S FACILITY.

### Laws and Sections

Law	Sections	Programs
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### Citations

Title	Part	Section
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Law	Sections	Programs
CERCLA	103A	Notification of Hazardous Reportable Quantity Release
EPCRA	304	Emergency Release Notification Section 313 Program

Title	Part	Section
40 CFR	302	6
40 CFR	355	40

## Facilities

FRS Number	Facility Name	Address	City Name	State	Zip	SIC Codes	NAIC Codes
110055365634	E.I. DU PONT DE NEMOURS AND COMPANY	1959 DUPONT ROAD	NEW JOHNSONVILLE	TN	37134	--	--

## Defendants

Defendants and Settlements	In Complaint	In Settlement
E. I. DU PONT DE NEMOURS AND COMPANY	Y	Y

## Related Case Documents

Document	Facility Name	Publish Date	EPA Program
No data records returned			

## Case Milestones

Event	Actual Date
Complaint Filed/Proposed Order	06/11/2013
Final Order Issued	06/11/2013
Enforcement Action Data Entered	06/21/2013
Enforcement Action Closed	07/16/2013

## Pollutants

Pollutant Name	Chemical Abstract Number
No data records returned	

## Related Activities

Description	Actual Date
No data records returned	

# Final Order 1

**Final Order Type:** Administrative Penalty Order With or Without Injunctive Relief

**Final Order Name:** E.I. DU PONT DE NEMOURS AND COMPANY

**Linked Facilities (FRS ID):** 110055365634

**Final Order Lodged Date:** --

**Final Order Entered Date:** 06/11/2013

**Enforcement Action Closed Date:** 07/16/2013

**Actual Termination Date:** --

## Penalties/SEPs/Cost Recovery Amounts

**Federal Penalty Assessed or Agreed To:** \$18,281

**State/Local Penalty Assessed:** --

**SEP Value:** \$68,555

Compliance Action Cost: \$100  
Federal Cost Recovery Awarded: \$0

Complying Actions

Complying Action ID	Category	Description
3400004985	Work Practices	Reporting

Supplemental Environmental Projects

SEP ID	Category	SEP Value	Description
3400001260	Emergency Planning and Preparedness	\$68,555	PURCHASE AND DONATE EQUIPMENT TO THE ATLANTA FIRE DEPARTMENT.

Pollutant Reductions

Resulting From	Pollutant	Annual Amount	Units	Media Affected
No data records returned				